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Docket No. 1879CON III

DEC 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David C. Raccnet, et al.
Serial No.: 10/718,195 Examiner: Camtu Tran Nguyen
Filed: 11/20/2003 Art Unit: 3763
For: TROCAR SEAL SYSTEM

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the telephone conversation today (December 7, 2005) between Michael D. Switzer, Attorney for Applicant, and Examiner Nguyen regarding the oral restriction requirement for the above referenced application, please consider the following remarks:

REMARKS

Applicants elect to prosecute the claims of Group I, claims 5-13 and 16-19. The remaining claims consisting of Group II (claims 14-15) are canceled without prejudice to continue prosecution of the subject matter of claims 14 and 15 in a subsequent application.

Applicant was advised a Terminal Disclaimer is required between instant claims 5-13, 16-19 and U.S. Patent No. 6,702,787. A Terminal Disclaimer is submitted by Applicant and is attached hereto. Please charge Deposit Account 21-0550 the Terminal Disclaimer fee.

Applicant also submits herewith an information disclosure statement for consideration in the prosecution of this application. The Commissioner is hereby authorized to charge any fees required for the Supplemental Information Disclosure Statement to Deposit Account 21-0550 in the name of United States Surgical.